

Referral of Bills

The first major step in the legislative process is to introduce a bill; the second is to have it heard by a committee. But how does legislation get from one point to the next? Each bill is assigned (or referred) to a specific committee but there are a variety of ways to do this (see table 96-3.5). In two-thirds of the legislative assemblies, the presiding officer (that is, the president of the Senate or speaker of the House) makes the final bill referrals. Eighteen chambers have another leader set the assignment. Nine legislative assemblies use a committee and, in Virginia, the chamber clerk makes this determination. In Maine, the full Senate or House sets the final referrals.

Often specific criteria help determine where bills will be assigned. Nineteen chambers responded that they did not use criteria to refer bills; these bodies are:

| | |
|---------------------------|-------------------------------|
| Arizona Senate | Montana Senate and House |
| Colorado Senate and House | Ohio House |
| Georgia House | Oklahoma Senate |
| Idaho Senate and House | South Dakota Senate and House |
| Indiana House | Utah House |
| Iowa Senate | Wisconsin Assembly |
| Michigan House | Wyoming Senate and House |

The remaining legislative bodies have guides that help determine bill assignments. Table 96-3.6 shows the criteria used to refer bills.

In most legislative bodies, a referring authority will take into consideration suggestions about where a bill should go (see table 96-3.7). In half of the nation's 99 legislative chambers, the ideas can come from any member, while in about 35 percent, suggestions may come only from selected individuals. For example, the request may be offered by the author of the bill in 22 bodies and, in another 21, the ideas come from selected chamber leaders or committee chairs. Sometimes, even lobbyists are allowed to make recommendations (this is true in the Arizona House, Oregon Senate, Washington House, and Wisconsin Senate and Assembly). The five chambers shown below do not take suggestions on bill referrals:

| | |
|-------------------|-----------------|
| Arkansas House | Tennessee House |
| Florida House | Virginia Senate |
| New York Assembly | |

Can a bill's committee referral be changed? "Yes" said almost every chamber responding; only the Colorado House, Iowa Senate, Ohio House and Pennsylvania Senate and House indicated that the final referral could not be altered. A vote of the body, used by more than 60 percent of the chambers, is the most common way to overturn a bill referral. The presiding officer or another leader also can frequently change a bill's committee assignment; this means is used by 36 legislative assemblies. Table 96-3.8 highlights the procedures to change a final bill referral.

Table 96-3.5 Final Referral of a Bill

| State (1) | By the lieutenant governor as the presiding officer | By the presiding officer who is a member | By the president pro tem or the speaker pro tem | By the majority leader | Other |
|---------------|---|--|---|------------------------|-------|
| Alabama | S | H | | | |
| Alaska | | B | | | |
| Arizona | | B | | | |
| Arkansas | S | H | S | | |
| California | | | | | 2 |
| Colorado | | B | | | |
| Connecticut | | | H | B | |
| Delaware | | H | | | |
| Florida | | B | | | |
| Georgia | | H | | | |
| Hawaii | | B | | | |
| Idaho | | H | S | | |
| Illinois | | | | | 3 |
| Indiana | | H | S | | |
| Iowa | | B | | | |
| Kansas | | B | | H | |
| Kentucky | | | | | 4 |
| Louisiana | | B | | | |
| Maine | | | | | 5 |
| Maryland | | B | H | H | 6 |
| Massachusetts | | | | | |
| Michigan | | H | | S | |
| Minnesota | | B | | | |
| Mississippi | | H | | | |
| Missouri | | H | S | | |
| Montana | | B | | | |

Table 96-3.5 Final Referral of a Bill, cont'd.

| State (1) | By the lieutenant governor as the presiding officer | By the presiding officer who is a member | By the president pro tem or the speaker pro tem | By the majority leader | Other |
|------------------|--|---|--|-------------------------------|--------------|
| Nebraska | | | | | 7 |
| Nevada | S | | | H | |
| New Hampshire | | B | | | |
| New Jersey | | B | | | |
| New Mexico | S | H | | | |
| New York | | H | S | S | |
| North Carolina | | H | | | |
| North Dakota | S | H | | | |
| Ohio | | | | | 8 |
| Oklahoma | | H | | S | |
| Oregon | | B | | | |
| Pennsylvania | | H | S | | |
| Rhode Island | S | S | | | |
| South Carolina | | H | H | | |
| South Dakota | S | H | | | |
| Tennessee | S | H | S | | |
| Texas | S | H | | | |
| Utah | | B | | | |
| Vermont | S | H | | | |
| Virginia | | H | | | 9 |
| Washington | | | | B | |
| West Virginia | S | H | | | |
| Wisconsin | | B | | | |
| Wyoming | | B | S | | |

Table 96-3.5 Final Referral of a Bill, cont'd.

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| <p>Key:</p> <ul style="list-style-type: none">S=SenateH=House or AssemblyB=Both chambers <p>Notes:</p> <ol style="list-style-type: none">1. The following chambers did not respond to the survey: Delaware Senate, Georgia Senate, Massachusetts Senate and House, Mississippi Senate, North Carolina Senate, Rhode Island House, South Carolina Senate; nor did any legislatures from the U.S. territories respond.2. California Senate and House: Bills are assigned by the respective chamber's rules committee.3. Illinois Senate and House: Bills are assigned by the respective chamber's rules committee.4. Kentucky Senate and House: The committee on committees within each chamber has this responsibility.5. Maine Senate and House: Bills are referred by the full Senate or House.6. Maryland House: Leadership staff also are involved in the final referral decision.7. Nebraska Senate: A management committee makes the final determination.8. Ohio Senate and House: In the Senate, a reference committee makes the determination; in the House, the rules committee assigns bills.9. Virginia Senate and House: Bills are referred by the clerk of the Senate. The House clerk, with direction from the speaker, sets the assignment. |
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Table 96-3.6 Criteria Used to Refer Bills

| State (1) | Constitutional cite | Statute cite | Committee jurisdiction | General bill topic | Other |
|------------------|----------------------------|---------------------|-------------------------------|---------------------------|--------------|
| Alabama | | | B | B | |
| Alaska | | | | B | 2 |
| Arizona | | | H | H | |
| Arkansas | | | B | B | |
| California | | H | B | H | |
| Colorado | | | | | |
| Connecticut | | | B | B | |
| Delaware | | | H | H | |
| Florida | H | H | B | B | |
| Georgia | | | | | |
| Hawaii | | | B | | |
| Idaho | | | | | |
| Illinois | | S | B | B | |
| Indiana | | | | S | |
| Iowa | | | H | H | |
| Kansas | | B | B | B | |
| Kentucky | | | B | | |
| Louisiana | | | B | H | 3 |
| Maine | S | S | B | S | |
| Maryland | | | B | H | |
| Massachusetts | | | | | |
| Michigan | | | S | | 4 |
| Minnesota | | | B | | |
| Mississippi | | H | H | H | |
| Missouri | | H | S | B | |
| Montana | | | | | |

Table 96-3.6 Criteria Used to Refer Bills, cont'd.

| State (1) | Constitutional cite | Statute cite | Committee jurisdiction | General bill topic | Other |
|----------------|---------------------|--------------|------------------------|--------------------|-------|
| Nebraska | | | S | S | |
| Nevada | | H | | | 5 |
| New Hampshire | | | B | B | |
| New Jersey | | | H | B | |
| New Mexico | | | | H | 6 |
| New York | | S | | | 7 |
| North Carolina | | H | | | 8 |
| North Dakota | | | B | B | |
| Ohio | | | S | S | |
| Oklahoma | | | H | H | |
| Oregon | S | S | B | S | |
| Pennsylvania | | | S | B | |
| Rhode Island | | | S | S | |
| South Carolina | | | H | H | |
| South Dakota | | | | | |
| Tennessee | | | | H | 9 |
| Texas | | | B | S | 10 |
| Utah | | | S | S | 11 |
| Vermont | | | B | B | |
| Virginia | | B | B | H | 12 |
| Washington | | H | B | B | 13 |
| West Virginia | | S | H | S | |
| Wisconsin | | | | S | |
| Wyoming | | | | | |

Table 96-3.6 Criteria Used to Refer Bills, cont'd.

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| <p>Key:</p> <ul style="list-style-type: none">S=SenateH=House or AssemblyB=Both chambers <p>Notes:</p> <ol style="list-style-type: none">1. The following chambers did not respond to the survey: Delaware Senate, Georgia Senate, Massachusetts Senate and House, Mississippi Senate, North Carolina Senate, Rhode Island House, South Carolina Senate; nor did any legislatures from the U.S. territories respond.2. Alaska Senate and House: The uniform rules of procedure also are used.3. Louisiana House: By tradition, some subjects are referred to certain committees.4. Michigan Senate: Sometimes committee workload will influence a bill's assignment.5. Nevada Senate: The chamber rules—particularly rule 40—help determine bill referrals.6. New Mexico Senate: By tradition, some subjects are referred to certain committees.7. New York Assembly: The chamber rules help determine bill referrals.8. North Carolina House: The chamber rules also help determine bill referrals.9. Tennessee Senate: The chamber rules—particularly rule 84—help determine bill referrals.10. Texas House: By tradition, some subjects are referred to certain committees.11. Utah Senate: Sometimes committee workload will influence a bill's assignment.12. Virginia Senate: The chamber rules also help determine bill referrals.13. Washington House: The committee assignments of a bill sponsor also are considered. |
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Table 96-3.7 Suggestions on Bill Referrals

| State (1) | Any member | Selected legislative leader(s) | Author of the bill | Committee chair | Rules, management or committee on committees | Selected legislative staff | Other |
|---------------|------------|--------------------------------|--------------------|-----------------|--|----------------------------|-------|
| Alabama | S | H | | | | | |
| Alaska | | B | B | | | | |
| Arizona | | | | | | H | 2 |
| Arkansas | S | | | | | | |
| California | B | | | | | S | |
| Colorado | | | B | | | | |
| Connecticut | S | H | | | | | |
| Delaware | | | H | | | | |
| Florida | S | | | | | | |
| Georgia | | | H | | | | |
| Hawaii | B | | | | | | |
| Idaho | S | | H | H | | | |
| Illinois | H | S | S | | S | | |
| Indiana | | S | H | | | | |
| Iowa | B | | | | | | |
| Kansas | B | | | | | | |
| Kentucky | B | | | | | | |
| Louisiana | S | H | H | | | B | |
| Maine | | | | | | B | |
| Maryland | B | | | | | H | |
| Massachusetts | | | | | | | |
| Michigan | S | H | H | H | | H | |
| Minnesota | | | B | | | | |
| Mississippi | H | | | | | | |
| Missouri | H | | S | | | | |
| Montana | B | | | | | | |

Table 96-3.7 Suggestions on Bill Referrals, cont'd.

| State (1) | Any member | Selected legislative leader(s) | Author of the bill | Committee chair | Rules, management or committee on committees | Selected legislative staff | Other |
|------------------|-------------------|---------------------------------------|---------------------------|------------------------|---|-----------------------------------|--------------|
| Nebraska | S | | | | | | |
| Nevada | S | | H | H | | | |
| New Hampshire | B | | | | | S | |
| New Jersey | H | | | | | S | |
| New Mexico | B | | | | | | |
| New York | | S | | | | | |
| North Carolina | | | H | H | | | |
| North Dakota | B | | | | | | |
| Ohio | S | | | | H | | |
| Oklahoma | | B | H | | | | |
| Oregon | B | | | | | | 3 |
| Pennsylvania | S | | H | | | S | |
| Rhode Island | S | | | | | | |
| South Carolina | H | | | | | H | |
| South Dakota | B | | | | | | |
| Tennessee | | S | | | | S | |
| Texas | H | | S | | | H | |
| Utah | S | | | | H | | |
| Vermont | | S | B | B | | B | |
| Virginia | H | | | | | | |
| Washington | B | | | | | | 4 |
| West Virginia | | S | S | S | | B | |
| Wisconsin | B | | | | | B | 5 |
| Wyoming | B | | | | | | |

Table 96-3.7 Suggestions on Bill Referrals, cont'd.

Key:

S=Senate

H=House or Assembly

B=Both chambers

Notes:

1. The following chambers did not respond to the survey: Delaware Senate, Georgia Senate, Massachusetts Senate and House, Mississippi Senate, North Carolina Senate, Rhode Island House, South Carolina Senate; nor did any legislatures from the U.S. territories respond.
2. Arizona House: Lobbyists and constituents also may offer suggestions.
3. Oregon Senate: Lobbyists can offer recommendations.
4. Washington House: Ideas from lobbyists and executive branch staff also will be considered.
5. Wisconsin Senate and Assembly: Lobbyists, constituents and state agencies also may offer suggestions.

Table 96-3.8 Changing the Final Referral of a Bill

| State (1) | Vote of the body | By the chamber's presiding officer | By the president pro tem or the speaker pro tem | By the majority leader | By the rules committee or the committee on committees | By the committee chair(s) | Other |
|---------------|------------------|------------------------------------|---|------------------------|---|---------------------------|-------|
| Alabama | B | | | | | | |
| Alaska | B | B | | | | | |
| Arizona | | B | | | | | |
| Arkansas | B | | | | | | |
| California | H | | | | | | |
| Colorado | | S | | | | | |
| Connecticut | B | | H | H | | | |
| Delaware | | H | | | | | |
| Florida | B | | | | | | |
| Georgia | H | H | | | | | |
| Hawaii | | B | | | | | |
| Idaho | S | | | | | | 2 |
| Illinois | | | | | B | | |
| Indiana | S | H | S | | | | |
| Iowa | H | H | | | | | |
| Kansas | | B | | H | | | |
| Kentucky | B | | | | | | |
| Louisiana | B | | | | | | |
| Maine | B | | | | | | |
| Maryland | H | B | | | S | | |
| Massachusetts | | | | | | | |
| Michigan | | | | S | | | 3 |
| Minnesota | H | S | | | | | |
| Mississippi | H | | | | | | |
| Missouri | S | H | | | | | |
| Montana | B | | | | | | |

Table 96-3.8 Changing the Final Referral of a Bill, cont'd.

| State (1) | Vote of the body | By the chamber's presiding officer | By the president pro tem or the speaker pro tem | By the majority leader | By the rules committee or the committee on committees | By the committee chair(s) | Other |
|------------------|-------------------------|---|--|-------------------------------|--|----------------------------------|--------------|
| Nebraska | S | | | | | | |
| Nevada | S | | | | | | |
| New Hampshire | B | B | | | | | |
| New Jersey | S | H | | | | H | |
| New Mexico | B | | | | | S | |
| New York | | H | S | S | | S | |
| North Carolina | | H | | | | | |
| North Dakota | B | | | | | | |
| Ohio | S | | | | S | | |
| Oklahoma | H | H | | S | | | |
| Oregon | | S | | | | | |
| Pennsylvania | | | | | | | |
| Rhode Island | S | | | | | | |
| South Carolina | H | H | | | | | |
| South Dakota | B | | | | | | 4 |
| Tennessee | B | S | S | | | | |
| Texas | B | H | | | | | |
| Utah | S | B | | | | | |
| Vermont | B | | | | | | |
| Virginia | H | | | | S | | 5 |
| Washington | B | | | | | | |
| West Virginia | B | B | | | | | |
| Wisconsin | B | H | | S | S | | |
| Wyoming | B | | | | | B | |

Table 96-3.8 Changing the Final Referral of a Bill, cont'd.

| |
|--|
| <p>Key:</p> <ul style="list-style-type: none">S=SenateH=House or AssemblyB=Both chambers <p>Notes:</p> <ol style="list-style-type: none">1. The following chambers did not respond to the survey: Delaware Senate, Georgia Senate, Massachusetts Senate and House, Mississippi Senate, North Carolina Senate, Rhode Island House, South Carolina Senate; nor did any legislatures from the U.S. territories respond.2. Idaho House: A committee can vote to change the bill referral.3. Michigan House: A committee can vote to change the bill referral.4. South Dakota Senate and House: A committee can vote to change the bill referral.5. Virginia House: A committee can vote to change the bill referral. |
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